UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

GEORGE GUINDON, ET AL.,	:	
Plaintiffs,	:	
v.	:	C.A. No. 03-335L
AMERICAN FOAM CORPORATION, ET AL.,	:	
Defendants.	:	

CLEAR CHANNEL DEFENDANTS' MOTION FOR LEAVE TO FILE OMNIBUS REPLY MEMORANDUM AND TO EXCEED PAGE LIMITS

Defendants Clear Channel Broadcasting, Inc. and Capstar Radio Operating Company ("Clear Channel Defendants") hereby move this Court for leave to file an omnibus reply memorandum in response to Plaintiffs' objection to the Clear Channel Defendants' motion to dismiss or, in the alternative, for summary judgment. The Clear Channel Defendants' also seek leave to exceed the page limit for reply memoranda to permit the Clear Channel Defendants to file an omnibus memorandum not exceeding 25 pages on or before January 14, 2005. In support of this motion, the Clear Channel Defendants respectfully submit the accompanying memorandum.

CLEAR CHANNEL BROADCASTING, INC.
and CAPSTAR RADIO OPERATING
COMPANY

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Pro Hac Vice on behalf of Defendants
Clear Channel Broadcasting, Inc. and
Capstar Radio Operating Company

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on the 9th day of December, 2004, I caused a true copy of the within Motion to be served by electronic mail to the following counsel of record:

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FOR THE DISTRICT OF RHODE ISLAND

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Plaintiffs, :
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v. : C.A. No. 03-335L
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AMERICAN FOAM CORPORATION, :
ET AL., :
:
Defendants. :

MEMORANDUM IN SUPPORT OF CLEAR CHANNEL DEFENDANTS' MOTION FOR LEAVE TO FILE OMNIBUS REPLY MEMORANDUM AND TO EXCEED PAGE LIMITS

Defendants Clear Channel Broadcasting, Inc. and Capstar Radio Operating Company ("Clear Channel Defendants") hereby move this Court for an order allowing them to file an omnibus reply memorandum in response to Plaintiffs' objections to the Clear Channel Defendants' motion to dismiss or, in the alternative, for summary judgment. The Clear Channel Defendants also seek leave to exceed the page limit for the filing of a reply memorandum not to exceed 25 pages on or before January 14, 2005.

The Clear Channel Defendants are named in the above-captioned lawsuit currently pending before this Court, which is related to the fire that occurred at the Station Nightclub in February 2003. In order to conserve the resources of the parties and the Court, the Clear Channel Defendants are prepared to file identical reply memoranda supporting a motion to dismiss in each of the seven cases now pending before this Court that relate to that fire.[1] Because the reply memoranda will address all seven suits, the actual number of pages to be considered by this Court would be considerably less than would be permitted if the Clear Channel Defendants filed seven distinct and separate ten-page reply memoranda.

[1] The Clear Channel Defendants have previously obtained leave from this Court to file their Omnibus Memorandum in Support of Their Motion to Dismiss or, in the Alternative, for Summary Judgment in similar fashion.

Because of the complexity of the legal issues presented in the cases, the number of claims, and the desire to file a comprehensive reply memoranda, Clear Channel Defendants hereby request that they be allowed to file a reply memoranda in excess of the ten (10) page limit, but not to exceed 25 pages.

Clear Channel Defendants also seek leave to file said reply memoranda on or before January 14, 2005. Although the Court's previous Administrative Order in this case did not designate a time in which to file a reply memoranda, the Clear Channel Defendants seek leave out of an abundance of caution and in an effort to facilitate the Court's scheduling process.

CLEAR CHANNEL BROADCASTING, INC.
and CAPSTAR RADIO OPERATING
COMPANY

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